IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1369 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

KESHAVBHAI GOVINDBHAI RAJPUT

Versus

JAYANTILAL KHERAJ

Appearance:

1. Civil Revision Application No. 1369 of 1985

UNSERVED-EXPIRED (N) for Petitioner No. 1

MR DD VYAS for Respondent No. 1

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 26/12/2002

ORAL JUDGEMENT

1. This is a revision application under Section 29 (2) of the Bombay Rent Act at the instance of petitioner who is the original plaintiff in Regular Civil Suit

no.275/81, filed against the tenant for a decree of possession, arrears of rent etc. The Rent Court was pleased to dismiss the Suit and consequently, the plaintiff landlord preferred an appeal before the District Court at Navsari under Section 29 (1) of the Bombay Rent Act. The District Court, after hearing the parties dismissed the said appeal and hence the present revision application.

2. This revision application was filed through advocate Shri M.C. Raijiwala who was replaced by another counsel Shri P.B. Majmudar, who was subsequently elevated to the Bench of this Court. Consequently, the Registry issued a notice to the petitioner to engage another advocate. This notice was returned unserved with an endorsement of the bailiff that the petitioner has expired. It would therefore, appear that the heirs of the deceased plaintiff - landlord do not propose to pursue the present revision application further. This revision application is, therefore, dismissed and Rule is discharged with no order as to costs.

[Y.B. BHATT, J.]

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